

SENATE BILL 370

By Bunch

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 13, relative to the punishment for certain  
sexual offenders and violent sexual offenders.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-504, is amended by deleting subsection (b) and substituting instead the following:

(b)

(1) Aggravated sexual battery under subdivision (a)(1), (2) or (3) is a Class B felony.

(2) Aggravated sexual battery under subdivision (a)(4) is a Class A felony and the minimum sentence for such offense shall be from within Range II as set out in § 40-35-112(b)(1). Nothing in this subdivision (b) (2) shall prohibit such an offender from being sentenced from within Range III as a persistent offender or career offender if the factors set out in §§ 40-35-107 and 40-35-108 are applicable.

SECTION 2. Tennessee Code Annotated, Section 39-13-522, is amended by deleting subsection (b) and substituting instead the following:

(b) Rape of a child is a Class A felony and the minimum sentence for such offense shall be from within Range II as set out in § 40-35-112(b)(1). Nothing in this subsection (b) shall prohibit such an offender from being sentenced from within Range III as a persistent offender or career offender if the factors set out in §§ 40-35-107 and 40-35-108 are applicable.

SECTION 3. Tennessee Code Annotated, Section 39-13-202, is amended by deleting subdivision (a)(2) and substituting instead the following:

(2) A killing of another committed in the perpetration of or attempt to perpetrate any first degree murder, act of terrorism, arson, rape, robbery, burglary, theft, kidnapping, aggravated child abuse, aggravated child neglect, rape of a child, aggravated rape of a child or aircraft piracy; or

SECTION 4. This act shall take effect July 1, 2007, the public welfare requiring it.